STATE OF ILLINOIS)
COUNTY OF LASALLE)

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
LASALLE COUNTY, ILLINOIS

KEVIN KRAMER,)
Petitioner,)
-vs-) No. 2015-F-153
JULIA EICKMEIER,)
Respondent.)

REPORT OF PROCEEDINGS had in the above-entitled matter, at the LaSalle County Courthouse, Ottawa, Illinois on the 2nd day of October, 2017.

BEFORE: THE HONORABLE JUDGE KAREN C. EITEN

PRESENT: MR. ROBERT STEELE
appeared on behalf of the Petitioner,
MR. ERIC MISKELL
appeared on behalf of the Respondent.

THE COURT: Let the record show this is Kevin Kramer, K-r-a-m-e-r versus Julia, J-u-l-i-a, Eickmeier, E-i-c-k-m-e-i-e-r, cause number 2015-F-153. Present in court is Mr. Kramer with his attorney Mr. Steele and Ms. Eickmeier with her attorney Mr. Miskell. Case continues on for hearing on an order of protection. It's 2015-F-153. When we were last together on August 17th, 2017 Mr. Atkins, A-t-k-i-n-s was on the stand, and he was being cross-examined by Mr. Miskell. Mr. Miskell, are you ready to continue your cross-examination of Mr. Atkins?

MR. MISKELL: I am, judge.

THE COURT: Would you bring in Mr. Atkins, please?

(Witness sworn.)

JOHN P. ATKINS,

called as a witness herein, after having been first duly sworn, was examined and testified as follows:

CROSS-EXAMINATION BY:

MR. ERIC MISKELL

THE COURT: Come on back up here, sir. Mr. Miskell, go ahead.

BY MR. MISKELL:

Q Sir, just to sum up a couple of things because I can't recall exactly where we left off. You stated you were on your way to Edwards Hospital to receive a rape kit

but then you turned around and you went back to the City of Peru; is that correct?

A Yeah because there was none collected.

MR. STEELE: Objection, foundation. I think we need to set the time frame on this.

THE COURT: All right. Mr. Miskell, do you have a --

MR. MISKELL: Yeah.

THE COURT: Weren't we on July 21st?

MR. STEELE: We were.

THE COURT: The last entry I have showed you were questioning him about a report on July 21st.

MR. MISKELL: I'm going back to the October 2nd, 2016 incident.

THE COURT: Okay.

MR. MISKELL: That's where I'm at.

THE COURT: Go ahead.

BY MR. MISKELL:

Q And you were aware that there was a rape kit done in Edwards Hospital, and the 10-2-16 event is the primary basis for this order of protection. You're aware of that; correct?

A Yes.

Q And with regards to that incident you testified that you were on your way to Edwards Hospital and then

turned around and you came back?

A Not on that one. That was a different time.

Q Okay.

A There's two times that she went to Edwards. The October 2nd one there was a rape kit that was collected.

Q Did you collect it, or did someone else collect it?

A I drove up there and collected it myself.

Q And then when you did that and you brought it back, I'm assuming you marked it in evidence?

A Yes, sir.

Q And what did you do with it next?

A It went to the State Police Crime Lab.

Q And when was that? When was it sent?

A Hang on. Mr. Miskell, I don't have that in front of me when it went.

Q Did you get a receipt that it was received?

A Yeah because I believe I dropped it off myself.

Q And the crime lab is where?

A In Joliet.

Q Do you remember if it was in October, November, December?

A It should have been in October. Do you have the receipt?

Q I don't have a receipt. That's why I'm asking you if you have one.

A It should have been October because there's rules about the sex assault kits getting there in a timely manner.

Q Did you bring your complete file with you today?

A No, I did not.

Q The receipt for dropping the rape kit off at Joliet's Illinois State Police Crime Lab, where are those normally kept?

A The receipts are kept with the case file.

Q Do you have the case file with you?

A I do not.

Q Now, with regards to that I'm assuming the department has yet to get a report?

A We did receive a report.

Q And do you have that report with you?

A I do not.

Q When did you receive it? I believe the last time you testified you had yet to receive it.

A After I testified I believe I got the results of that.

Q Were those results sent to Mr. Steele?

A I believe I gave him a copy. If not I can call and get a copy faxed over.

Q When approximately did you receive those results?

A I can't recall.

Q Well, we were here six weeks ago.

A August some time. It may have been before August or a little bit after.

MR. MISKELL: Bob, do you have those?

MR. STEELE: I'm looking for them.

THE COURT: Would it be quicker to have them faxed over?

MR. STEELE: It would be quicker.

THE COURT: Any objection, Mr. Miskell?

MR. MISKELL: No, ma'am.

THE COURT: Do you want to go make that phone call, sir?

THE WITNESS: Yes.

THE COURT: Let's take a recess.

THE WITNESS: Is there a fax number?

THE COURT: There is. My clerk will send it out to the hallway for you. Let me know when those are back and then we'll resume.

(Recess taken.)

THE COURT: Come on back up. You're still under oath. Let's go back on the record in 2015-F-153. The parties are once again present with their attorneys, and the officer is on the stand being cross-examined by Mr. Miskell. Everybody has received a copy of the report. Go ahead, Mr. Miskell.

MR. MISKELL: Judge, what number am I on?

THE COURT: Your next number is 11.

BY MR. MISKELL:

Q Sir, I'm going to hand you what's been labelled Mother's Exhibit No. 11. Can you tell me what that is, please?

A That is a copy of a portion of the police report for the Eickmeier case or Kramer case.

Q And it shows the documentation of it being brought up there, being brought back and the actual report from the crime lab; is that correct?

A That is correct.

Q And apparently it was Officer Heiden who brought the kit to the laboratory; is that correct?

A Correct. He was our evidence tech.

Q So it wasn't you, it was him?

A It wasn't me.

Q But you retrieved it in May?

A That's correct.

Q And then a report was generated May 11th, 2017; is that correct?

A That's correct.

Q And then there is a follow-up note by you of May 11th, 2017; is that correct?

A That's correct.

Q So you've had this report since May 11th of 2017?

A That's correct.

Q Before your testimony?

A That's correct.

Q All right. Now, it's my understanding that the results of this laboratory report only indicate that no semen was identified; is that correct?

A That is correct.

Q Now, you're aware or are you not of the deposition that was taken of the medical experts in this case?

A I'm not aware.

Q All right. Are you aware of the testimony with regards to the discharge being possibly an STD called Trichomoniasis?

A I'm not aware.

Q All right, and to your knowledge, the sample that was given to the crime lab was actually never tested for any type of bacterial STD, is that correct, to your knowledge?

A To my knowledge, no, I have no idea.

MR. MISKELL: I'm going to move to admit Mother's Exhibit No. 11.

THE COURT: Ms. Steele.

MR. STEELE: No objection.

THE COURT: 11's admitted without objection.

BY MR. MISKELL:

Q Sir, you've had the kit back in your possession then since May of 2017; is that correct?

A That is correct.

Q And that is still there; correct?

A That is correct.

Q And it can be made available for chemical analysis; is that correct?

A That is correct.

Q Sir, you know a Joseph and Mary Kramer; is that correct?

A I know -- I don't know them personally, but I know them, yes. I sold a truck to Joe, but that doesn't mean we hang out.

Q You sold or bought one from him?

A I sold my old truck.

Q When was that?

A Maybe November. I'm sorry. September 25th of last year.

Q 2016?

A Yes.

Q Which was within a week prior to this claim in October?

A I guess.

Q And have you had any discussions with Joe or Mary regarding their son Kevin or Julia Eickmeier?

A No.

Q And Mary is a meter reader in the City; is that correct?

A That's correct.

Q And Joe works for the roads department or did work for the roads department?

A He works at one of the city offices, that's correct.

Q You do recall my asking you about the May 24th, 2016 investigation wherein you spoke with Dawn Mateika from DCFS and told her that you would not investigate the claim due to the number of previous allegations which were

unfounded; is that correct?

MR. STEELE: Objection. That mis-states the testimony.

THE COURT: Mr. Miskell, your response.

MR. MISKELL: I just asked him if he recalled that.

THE COURT: When you say it mis-states the testimony, whose testimony was it?

MR. MISKELL: That was officer -- this person --

MR. STEELE: He testified that I believe it was Chief Pyszka that talked to Dawn Mateika. He did not do it.

MR. MISKELL: I'll rephrase the question.

THE COURT: Rephrase. That would be great.

BY MR. MISKELL:

Q Sir, you are aware that the May 24th, 2016 incident was not going to be investigated because of the prior amount of previous allegations which were unfounded; is that correct?

A Let's see here.

MR. STEELE: Again, it mis-states the evidence and the testimony. They did an investigation.

THE WITNESS: I want to say that was just --

THE COURT: Hold on a second, sir.

THE COURT: Read me back that question, would you?

(Whereupon, record read back

as requested.)

THE COURT: And your objection is that it mis-states the prior testimony?

MR. STEELE: Yes.

THE COURT: I'm looking at my notes.

MR. STEELE: The testimony was no further investigation would be done.

THE COURT: Mr. Miskell, your response to that?

MR. MISKELL: I'll re-ask the question again.

THE COURT: Okay. Go ahead.

BY MR. MISKELL:

Q It was your understanding that the May 24th, 2016 incident would have no further investigation being done by your department because of the amount of previous allegations which had been unfounded; is that correct?

MR. STEELE: I'm going to object again because he's asking him to testify to another officer's conclusion.

MR. MISKELL: He was the investigating officer.

THE COURT: Objection is overruled. You can answer that one, sir.

THE WITNESS: What that would be referring to is that it would not be investigated any longer as case 15-17236.

BY MR. MISKELL:

Q Correct.

A That case is closed because we've added everything to that case. That's what that's referring to, but we did continue to investigate other ones.

Q Okay. Now, on that date with regards to the incident that we're discussing 15-17236 --

THE COURT: 15 dash what?

MR. MISKELL: 17236.

THE COURT: Thank you.

BY MR. MISKELL:

Q There was an item retrieved in to evidence which was a pair of girl's underwear; is that correct?

A That's correct.

Q Was that ever sent for an evaluation?

A No. We discussed that in previous testimony. You asked me those questions already.

Q Now, following that there was the incident in July regarding, and this is I believe where we left off, regarding the snake incident. Do you recall this?

A I do recall that, yes.

Q And at that time that allegation was brought forth by a Ms. Beverly Schneider; is that correct?

A That is correct.

Q And you investigated that incident; is that correct?

A Hang on one second, Mr. Miskell.

Q No problem. Incident 16-9667.

A Yes, that's what I wanted to make sure. Yes, sir. I did investigate that.

Q And as a result of that investigation you had an interview with Beverly Schneider; is that correct?

A That is correct.

Q And what did you learn regarding the allegations that were made at that time?

A She said that daddy puts his snake in my mouth, and she didn't want to go to daddy's house. Supposedly Madeline gets cold sores, and she told me that the cold sores get because the mouth was stretched which I've never heard of.

Q Specifically on page three, paragraph two, did she advise you that she was the sitter, the baby-sitter for Madeline?

A Yes.

Q And that she had picked up Madeline for baby-sitting on 7-11-2016?

A Yes.

Q All right and that she wanted to go back to her father's house; is that correct?

A She said she wanted to go to daddy's house to

play with his snake.

Q And then she said what?

MR. STEELE: Objection, Your Honor. When he says she, I would like to know who he's referring to, Beverly Schneider or --

THE COURT: Sustained.

BY MR. MISKELL:

Q What did Ms. Schneider advise further if anything?

A Schneider said Madeline makes gagging noises.

Q When?

A When daddy puts his snake in her mouth and sticky stuff comes out. That's what Madeline told Ms. Schneider or Mrs. Schneider. Sorry.

Q And following that or following that you had a conversation I'm assuming with Mr. Kramer; is that correct?

A I believe I did, but I don't have it in front of me. Do you have that?

Q Page four, fourth full paragraph.

A It goes from Schneider's interview to DCFS follow-up with Yearly.

MR. MISKELL: May I approach, Your Honor?

THE COURT: Yes, you may.

BY MR. MISKELL:

Q Let's make sure we're on the same page. Page four. We were just on page three.

A Sorry.

Q That's okay.

A I was confused. I thought it was after.

Q Sure. No problem.

MR. STEELE: Can I get a copy of this report because I gave my copy of the report to Mr. Atkins to use for his testimony. I don't have a copy.

THE COURT: Go make a copy now, is that what you're asking?

MR. STEELE: Can I make a quick copy?

THE COURT: Okay.

(Recess taken.)

THE COURT: All right. Mr. Steele, you have your copy now?

MR. STEELE: I do, Your Honor. Thank you.

THE COURT: All right. Mr. Miskell, go ahead.

THE WITNESS: Let me get back to my spot, Mr. Miskell. Give me one second, please. Go ahead. I'm back to the Kramer interview.

BY MR. MISKELL:

Q So we're on page four?

A Page four.

Q Just indulge me for a second. The last page of page three, if you want to review that for the last sentence.

A Yes, sir.

Q So following your interview you conducted a computer search on Beverly Schneider; is that correct?

A That's correct.

Q And why would you do that?

A Just to see how many times somebody's had contact with her from our police department.

Q And did you locate anything?

A No, I did not.

Q And then you conducted an SOS image search on Ms. Schneider; is that correct?

A That's correct.

Q What's an SOS image search?

A Secretary of State image so I know who I'm talking to when they come in.

Q And also to make sure it's the same person that you talked to?

A Yeah because I don't like talking on the phone because somebody can say they're somebody and then in person they can say they're somebody.

Q And to be fair you had seen her a number of

days before at a court hearing on July 18th; is that correct?

A That's correct.

Q All right. So after you had this interview with Ms. Schneider you talked to DCFS I'm assuming; is that correct?

A Yes, Ms. Yearly.

Q And it's my understanding that -- did you tell her about the interview? Did you tell the DCFS Investigator Yearly about the interview that you just took with Ms. Schneider?

A No.

Q And it was at that time that you were advised that no CAC interview was going to be completed; is that correct?

A Hang on one second. The Schneider interview was before I talked to --

Q Correct.

A Was before I -- was after -- it looks like after I talked to -- I don't believe I talked to Schneider when I talked to Yearly the first time.

Q Well, in your report 16-9667?

A Right.

Q Does the paragraph regarding I spoke to DCFS

Investigator Yearly appear after the paragraphs involving the Schneider interview that we just went over?

A I'm reading that and the way that is is I believe I'm phrasing what the facts came from DCFS before.

Q You received a fax from DCFS on 7-20-16 at 5:04 p.m.; correct?

A Yes.

Q Is there anything in that paragraph that states that you talked personally with anybody at DCFS at that time?

A Schneider advised, but I don't recall if I called her then. That's not the interview. The interview took place on the --

Q The next morning?

A The 22nd.

Q So on 7-20 at 5:04 p.m. you got a fax?

A Yes.

Q And there's nothing that indicates that following 7-20 at 5:04 p.m. that you contacted or talked personally with DCFS Investigator Yearly; isn't that correct?

A That's correct.

Q And then the following morning -- strike that. Do you normally work 9:00 to 5:00? If you were to have

received a fax at 5:04 p.m. and then the next morning at 9:00 o'clock a.m.?

A I work 8:00 to 4:00, but my hours could vary at any time so.

Q Okay. So --

A Actually on the 21st at 9:40 a.m. I received -- I got the fax, but it was sent on the 20th at 5:04. It was sent to the PD the day before. When I came in it was in my door probably.

Q And on 9-21 was the date that you spoke with Beverly Schneider; correct?

A It would have been 7.

Q 7-21-16?

A Yeah.

Q That was the date that you spoke with Beverly Schneider?

A I must have did that on the phone because the actual interview was on the 22nd at 2:00 p.m. so either that or I'm quoting the fax from DCFS. I can't recall, Mr. Miskell.

Q Okay. So then you spoke with -- well, just to make sure we're understanding to be fair. You received the fax. Did the fax contain the allegations made by Beverly Schneider that is in your third page of case number 16-9667?

Is that your best recollection and then you did an interview with her?

A That's the best of my recollection, yes, sir.

Q But you received the fax that had this incident in it and then you talked to DCFS Investigator Yearly?

A Then I talked to Investigator Yearly, yes.

Q And it was at that time that it was conveyed that no other CAC interview was going to be completed; is that correct?

A Yeah because the last CAC was the 31st of May. It was just recently.

Q But this incident occurred after that; correct?

A Correct.

Q And then the next thing you did was call Mr. Kramer's attorney?

A Correct.

Q And advised him about the complaint?

A Correct just so I can get permission to talk to Kevin.

Q And then at approximately 10:00 a.m. in the morning you observed Mr. Kramer in a parking lot?

A That's correct.

Q He was there to get his visitation?

A That's correct.

Q And did you have a conversation with Mr. Kramer at that time?

A I did.

Q What did you say to him, and what did he say to you?

A I brought him in the interview room. It was being recorded. Advised he wasn't under arrest. He said the last time he saw Madeline was on the 19th of July from 2:30 to 4:30. Then Ms. Eickmeier called numerous times on the 21st and showed up with Madeline at his work. Kramer advised that he called his mother and father who came to see Madeline at work. I asked him if they were ever alone. He said they were not. The last time he saw Madeline was on his court-order visitation from June 24th, 2016. Basically she didn't return Madeline and then I asked about the snake at his residence. He said he didn't have a snake or a stuffed animal or anything he calls a snake. I didn't observe any cuts on his hands, anything fresh or recent, anything that's healed.

I asked Kramer if Madeline ever got cold sores. He advised me no. I asked Kramer who watched Madeline for Eickmeier. He said he doesn't know. I asked Kramer if he ever witnessed Madeline grabbing anyone's penis. He said he had not. I asked Kramer if Madeline had ever grabbed his

penis. He said she had not. I asked Kramer if he ever witnessed Madeline masturbate, and he advised he had not. Kramer advised that he observed Madeline scratch, touch her vagina but not masturbate. I asked Kramer if he ever observed Madeline dry humping any stuffed animals. He advised not. I asked Kramer when the last contact he had with Eickmeier, and he advised Eickmeier texted him this morning at 5:59 a.m. that Madeline is screaming and crying and did not want to go from her room in a very disturbing way. I asked Kramer if he could forward the text, and he did. Do you have copies of those text messages?

Q Yes.

A Because I don't have them in this thing here. At the end of the interview advised Kramer that I'd investigate the complaint and DCFS wanted to speak with him. He said that was fine. I contacted Investigator Yearly from DCFS, advised her of my interview with Kramer and that we would speak to Schneider.

Q And then you completed a PERS form?

A That's a PERS form.

Q What's that for?

A That's for evidence. I believe it's Peru Evidence Submission Records, you know, something like that.

Q And an Avigilon form?

A Avigilon form.

Q A-v-i-g-i-l-o-n?

A That's correct. That's the name of our recording system at the Peru Police Department. We do that so the evidence guy can find the interview and tag it.

Q And that video recording is still maintained in your evidence room?

A That's correct.

Q Now, you asked Kramer if he had a snake at his residence, and he said he didn't have one; is that correct?

A That's correct.

Q Or if he has a stuffed animal or anything he calls a snake and he said he does not; correct?

A That's correct.

Q And then you asked him about a candle?

A I believe I did as well. Did I skip over that?

Q You asked Mr. Kramer about a candle, and he stated he does not have a candle at his residence; is that correct?

A That's correct.

Q And that he doesn't allow Madeline -- and Madeline does not play with any candles; is that correct?

A That's correct.

Q Did you set up then a viewing of his apartment

to ascertain whether or not he was being truthful?

A I did not.

Q Anybody in your department?

A No.

Q Are you aware as to whether or not at any time in 2017 anybody from your department or DCFS or any investigative agency has ever been to Mr. Kramer's apartment?

A I believe Investigator Yearly was. I believe that's where she conducted her interview.

Q At the apartment or the parent's home?

A Hang on one second. I can't recall, Mr. Miskell, if it was at his apartment or at the parent's house.

Q Okay. In either event it wasn't you?

A It wasn't me, no.

Q At any time in 2017?

A No, I have never.

Q At any time in 2016?

A No, I've never been to his house at all.

Q Now, following that conversation you contacted Investigator Yearly again; correct?

A That's correct. Are you on page nine?

Q Five.

A Okay. Yes.

Q And you advised her of the interview that you had with Mr. Kramer; is that correct?

A That's correct.

Q And at that point you determined that you would interview Beverly Schneider on 7-22-16; is that correct?

A That is correct.

Q Beverly Schneider came to the interview at 2:00 o'clock p.m. on 7-22; is that correct?

A That is correct.

Q Was that interview recorded?

A Yes.

Q To your knowledge, is that recording, was it video and/or audio recorded?

A Video and audio.

Q And is that video recording still kept in evidence at the police station?

A Yes.

Q Now, to recap, we watched the video where yourself and another detective had an interview with Ms. Eickmeier. You recall that?

A I do recall that, yes.

Q And you recall asking or telling her that she needed to document her incidents; correct?

A Yes.

Q And that you even advised her to put up a camera in her house; correct?

A Video only, no audio, that is correct.

Q That's what, yeah, and that's what you believe that you had said at the time. It was made -- and you had a conversation with her about it can't just be he said/she said. There had to be other people that helped corroborate, whether they were professionals, an officer, an investigator or?

A A doctor.

Q Somebody?

A I believe that was part of the conversation.

Q And then we get to July 22nd, 2016 and you're interviewing Beverly Schneider?

A Yes.

Q And Investigator Yearly was with you; is that correct?

A That is correct.

Q But you pretty much directed the interview; is that correct?

A That's correct.

Q You told her she wasn't under arrest; is that correct?

A That's correct. She was there on her free will.

Q Did you prepare a synopsis of your interview with Beverly Schneider?

A Yes. We already went over that earlier.

Q Well, other than the things that we went over, I'm going to ask you a couple other things.

A Okay.

Q Was it your understanding that she has had knowledge of Julia since Julia was 13?

A That's correct.

Q And she had been watching Madeline for about a year and a half?

A That's what she said.

Q Only a few hours at a time; is that accurate from your understanding?

A That's from my understanding, yes.

Q Now, you asked Ms. Schneider if Madeline has had sold sores, and she advised you that she has observed Madeline with cold sores; is that correct?

A That's correct and then she -- I'm sorry.

Q That's okay. Page 11, sir. Did you ask Ms. Schneider if she had ever witnessed Madeline masturbate?

A She said she did once in the past. You're

talking about the fourth paragraph down; correct?

Q Yes.

A I asked Schneider if she ever witnessed Madeline masturbate, and she said she did once in the past.

Q Did ask you her if she ever witnessed Madeline dry humping stuffed animals?

A I did, and she said yes.

Q Did that conflict with the statement that you had gotten from Mr. Kramer?

MR. STEELE: I'm going to object, Your Honor. What statement is he referring to?

THE COURT: Sustained.

BY MR. MISKELL:

Q The statement that we just talked about in the 16-9667 that you had taken the video and audio recording of Mr. Kramer, was the facts that Beverly Schneider stated to you about witnessing Madeline masturbate, witnessing Madeline dry humping and having cold sores, was that different than the facts that you had gotten from Mr. Kramer?

MR. STEELE: Same objection, Your Honor. We're trying to compare apples and oranges here. It's unfair to this witness to say that the statements are different. The statements each said what they had to say. You can ask what

they said, but to make him compare them is not only irrelevant but it's unfair to this witness.

THE COURT: Mr. Miskell, your response?

MR. MISKELL: I don't know if unfair to the witness is an objection.

THE COURT: No, it isn't, but as I understand the question are you asking him to determine the truth or veracity of each of the parties that he interviewed?

MR. MISKELL: No, I was asking him simply whether or not the facts that were relayed to him by Mr. Kramer were different that the facts that were relayed to him by Ms. Schneider.

THE COURT: Then you should ask it that way because the way you asked it tended to indicate to me that you were asking him to as if they had both seen the same event and were describing it differently.

MR. MISKELL: No, judge.

THE COURT: So that's what the question is. I'm going to sustain the objection for that reason.

MR. MISKELL: I'll break it down.

THE COURT: Go ahead.

BY MR. MISKELL:

Q Mr. Kramer stated that on a previous occasion he had saw Madeline touch her private parts; correct?

A Scratch.

Q Scratch or touch her private parts; correct?

A Right but not masturbate.

Q And Schneider told you that she had witnessed Madeline masturbate; correct?

A Once in the past, yes.

Q Mr. Kramer said he never seen Madeline dry hump stuffed animals; is that correct?

A That's correct.

Q Ms. Schneider said she had; correct?

A That is correct.

Q And Mr. Kramer had said that he had never seen cold sores on Madeline; is that correct?

A That is correct.

Q But Ms. Schneider has; is that correct?

A That's what she said.

Q At that point other than the other portions of the interview that we previously went over, you ended your interview at 2:37 p.m.; correct?

A With Ms. Schneider, that is correct.

Q So you had some conflicting facts at that point?

A What one person sees and another person sees are two different things.

Q But you're the investigator; correct?

A They're not conflicting facts. It's one person told me one thing, and another person told me another thing. Who knows when, who witnessed what. I believe the father was with the child more than a few hours since the past year and a half so.

Q Did you follow up then and do any other investigations on your own following that interview with Ms. Schneider? Did you do anything?

A Just talked to Ms. Yearly. That was it.

Q Did you send copies of your audio and video recordings to DCFS Investigator Yearly?

A I should have sent everything to the State's Attorney's Office, not Investigator Yearly.

Q Do you have any evidence in your file whatsoever that you did anything other than log these recordings in your Avigilon system?

A All I do is put it in evidence and somebody else puts everything together and sends it over to the State's Attorney's Office.

Q Do you have any evidence whatsoever that that was actually done?

A No, I don't.

Q And you're the lead investigator on this?

A That's correct.

Q Now, when you're investigating an alleged sex crime and you have a third person that is supplying certain facts to you and you ask the perpetrator and the perpetrator denies, you drop your investigation at that point?

A I didn't drop nothing. I didn't have any further evidence, Mr. Miskell.

Q Any further evidence other than the child telling the sitter that dad puts his snake in the mouth and stuff comes out?

A There was no further evidence of that. Who knows when she witnessed what and when she said anything.

Q Did she not tell you that she saw that conversation occurred on July 11th, 2016?

A Yeah.

Q So when you say who knows, you did July 11th, 2016; correct?

A Correct, sir.

Q The fact of the matter is, sir, to be blunt you did nothing because of all the prior cases being unfounded; isn't that right?

A They were unfounded because there was no evidence. That is true.

Q And as we discussed before on many occasions

you didn't do anything other than interview Julia, for example?

MR. STEELE: Objection. That mis-states the evidence. He's already testified he interviewed Kevin and other individuals.

MR. MISKELL: On this incident. I was talking about the prior incidents.

THE COURT: Well, hold on a second. All prior incidents you're referring to and you're saying the only investigation that was done was the speaking to your client?

MR. MISKELL: I can go back, but I'm not going to regarding our previous direct examination of him, but many times the allegations were made and the only person he spoke with was Julia.

THE COURT: I think his objection is that it mis-states the prior evidence, and your question encompassed all of the prior cases. You said the prior cases so I'll sustain the objection. You can rephrase your question.

BY MR. MISKELL:

Q You had become the lead investigator with regards to Ms. Eickmeier and Mr. Kramer starting with 15-17236; is that right?

A That's correct.

Q And with regards to the incident in 15-17236

you were given the name of Gordon Pearson; is that correct?

A That is correct.

Q And you never followed up and interviewed Gordon Pearson; is that correct?

A That is incorrect.

Q When did you interview Mr. Pearson?

A He was interviewed some time in October of 2016.

Q After that claim was already closed?

A Well, there was still other ones.

Q So we're talking about this claim 15-7236 which was already closed by the time we got to October of '16; correct?

A That is correct.

Q And you stated while there was no evidence before, you got a name and you never interviewed the person; isn't that correct?

A I beat on the door. I made attempts to contact him, Mr. Miskell. I can't make people appear.

Q Now, during this period of time -- strike that. The following or during the July, 2016 incident, do you recall a conversation that was had with Mr. Steele wherein it was conveyed that if this happens again there would be an OP filed, an order of protection filed?

A Do you have that in writing?

Q I'm just asking if you recall?

A I can't recall. Is it in my report because I don't recall?

Q Did you ever advise Mr. Steele that maybe he should get an order of protection?

A No.

Q Did Mr. Steele ever state to you that he may be going to get an order of protection if this occurs again?

A I can't recall, Mr. Miskell.

Q All right. You had a chain of e-mails that were going back and forth between yourself and Ms. Eickmeier; is that correct?

A That's correct. I'll have to read yours.

MR. MISKELL: Judge, may I have the exhibits?

THE COURT: Yes. Father's, Mother's or all of them?

MR. MISKELL: I'm looking for our 13.

BY MR. MISKELL:

Q Now, the e-mails that you had received, those started in January of '16, is that correct, the same time frame as the 15 --

A Can I see your exhibit because that way I can say yes or no? Thank you. January 19th, 2016.

Q And during these conversations, most notably on

January 22nd, it starts out I hope you can meet with me soon. Do you see that one at 8:15 p.m.?

A Yeah, I hope you can meet with me soon.

Q During your e-mails, is it not true that Julia had stated to you that she did not want to bring the child to the doctor?

A Yes.

Q But that she feels like she was stuck and that she was trying to find some people to help her?

A I feel stuck. Like I don't know what to do to help and not hurt her.

Q And that she couldn't afford a psychologist?

A Okay.

Q Correct?

A Correct.

Q And then after that is when you heard the six and a half minute long recording about the exchange between Eickmeier and Kramer with Madeline on or about --

A I recall the recording, yes, sir.

Q And that was the same day January 22nd, 2016; is that correct?

A Let's see here. We keep bouncing back and forth so.

Q That's correct?

A You keep bouncing back and forth. I believe it's around that time. I couldn't tell you the date, and we've already listened to that and testified towards that.

Q Well, what I was going to ask you about was the part of the sentence that says Madeline continues to cry after Kramer leaves the residence?

A That's correct.

Q Wasn't it true that within about a minute of Kramer leaving the residence is when the child actually settled down?

MR. STEELE: Again, Your Honor, we went through this before, and that mis-states the evidence, and at that time Your Honor said you heard the tape, and you can determine that for yourself.

THE COURT: The recording is already in evidence, correct, Mr. Miskell?

MR. MISKELL: Yes.

THE COURT: I'm going to sustain the objection.

BY MR. MISKELL:

Q Following that recording, what if anything did you do?

A Are we back to 17236?

Q Yes.

A We're in to January now?

Q Yes.

A Telephone call from Ms. Eickmeier.

Q A new incident?

A I'm sorry. That's after the interview. Tried to call Mr. Pearson. Ms. Eickmeier didn't show up to the department on the 25th and February I was forwarded two Facebook posts that Ms. Eickmeier doesn't have any faith in LaSalle County investigators.

Q More specifically, following -- on March 26th, 2000 -- excuse me. March 27th, 2016 Julia had came in and she had made a report that you had previously discussed and then wrote a statement on 3-27-16?

A Correct.

Q Following that, what did you do to follow up on that call?

A I never got the copy of the video.

Q That wasn't my question. My question was with regards to the allegations on 3-27-16 wherein Madeline stated that daddy is rubbing my crotch and Madeline took one of the toys and put it in her mouth and stated how's my cock, following that, what did you do if anything regarding that incident?

A Just put it in the file.

Q Did nothing?

A Did nothing, correct.

Q 4-22-16 spoke with Eickmeier who was reporting her daughter appeared to be slightly tampered with. That was not actually taken by you; is that correct?

A That's correct.

Q But you received --

A Neither was the other one.

Q But you received a contact by Officer Credi involving a contact with Ms. Eickmeier on 4-22-16; correct?

A I received a report.

Q What did you do to follow up on that report?

A Nothing.

Q On 5-24, that's the one we started out with today wherein you were advised that no further investigation would be done due to the amount of previous allegations which have been unfounded; correct?

A That's correct. That was for reference just for that case, but we did more investigations when more allegations came in.

Q In October of '16; correct?

A And July of '16.

Q July.

A Which we went over.

Q On June 25th, 2016 in your report --

A Do you have a case number, Mr. Miskell.

Q 15-17236.

A Because I have June 1st.

Q It starts the page before that on 5-26-2016.

A Yes.

Q Page one, do you see that?

A Yes.

Q At the bottom there of page two where you're referencing on June 1st, 2016?

A Right. That's referring to 15-17236 which we've already answered. You've asked four times.

Q Let me finish my question, sir. You did not sit in on the interview between Kramer and Mateika; correct?

A I did not, no.

Q And you advised Mateika at that time that the Peru Police Department was no longer investigating this incident; correct?

A Which was referring to 17236, that's correct, yes.

Q So you just testified you did nothing after Ms. Eickmeier made her complaints and came in to the police station and then told -- and then said that you're not going to do anything further because there's no evidence so you did nothing to find any evidence; isn't that correct?

A No, that's not correct.

MR. STEELE: I don't think it's correct. He did not say with regard to this incident.

THE COURT: He's answered. Objection is overruled. He's answered. He said that's not correct. Next question.

BY MR. MISKELL:

Q Prior to June 1st of 2016 based on what you just told us you did you never went and conducted any other interviews or took any other reports other than what you just testified we got from Ms. Kramer or excuse me, Ms. Eickmeier; correct?

A That's correct. You're talking about the April and the May; correct?

Q 15-17236.

A Yes.

Q All right, and you didn't even get to Mr. Gordon until October of '16?

A That's correct.

Q And in July of 2016 we were -- strike that as far as the July of 2016 question. So between January of '16 and June 1st of '16 you didn't do anything other than get Julia's statements and then said there was no evidence corroborated because you did nothing?

MR. STEELE: Your Honor, again, that mis-states the

evidence.

THE COURT: Sustained.

BY MR. MISKELL:

Q And then in July you get some corroborating evidence from Ms. Schneider and then other than ask the father whether it was true, you did not follow up forensically in any way, did you?

A No.

Q Have you ever asked Mr. Kramer if he would submit to a lie detector test?

A I believe I did because we had Secret Service in town for something else, but I wanted to confirm with his attorney first if that would be okay.

Q When did that occur?

A Mr. Steele, do you have that or no?

MR. STEELE: I do not.

BY MR. MISKELL:

Q Was it before the July incident or after the July incident?

A It would have been before because there was another case that we were doing lie detectors on.

Q Was it between January of '16 and July of '16?

A I can't recall, Mr. Miskell.

Q All right. Do you recall whether or not it was

before or after the snake incident?

A It had to have been before that.

Q All right, and did that lie detector examination occur?

A It never occurred, no.

Q Were you able to get a hold of Mr. Steele?

A To my knowledge, no.

Q Did you send him an e-mail regarding that?

A No, I believe I called.

Q I'm sorry. What was your answer?

A I believe I called.

MR. MISKELL: The last area, judge, that I'm going to go in to is going to be about 20 minutes so.

THE COURT: And you're going to have some redirect, Mr. Steele?

MR. STEELE: Yes.

THE COURT: I was hoping we might get you done before the lunch hour, but we're not going to.

THE WITNESS: That's fine.

THE COURT: I have one case at 1:30 so let's say quarter to 2:00 we'll see everybody back. You can step down.

THE WITNESS: Thank you.

(Recess taken.)

THE COURT: Let's go back on the record in 2015-F-153. The parties are once again present with their respective counsel. Mr. Miskell, are you ready to resume your cross of Mr. Atkins?

MR. MISKELL: I am.

THE COURT: Bring him in, please. Come on up, sir. You're still under oath. Mr. Miskell, go ahead.

BY MR. MISKELL:

Q Sir, in your direct examination by Mr. Steele you referred to a summary exhibit of incidents, 70 incidents that occurred between 2012 and I think you said through that date which was when you had testified originally in May of 2017. Do you recall that testimony?

A I do. I believe the date was up to December 1st, 2015.

Q Now, that form that you created documents all the incidents whether Mr. Kramer initiated the contact or Julia initiated the contact or some third party initiated the contact; is that correct?

A That's correct.

Q And a review of that, is it my understanding well over 50 of those 70 contacts were initiated by Mr. Kramer?

A You'd have to let me look so I can --

Q In your report -- do you have it?

A I don't have -- that's the very, very first one.

Q Okay.

A Mr. Miskell, if you're talking about the custody, that would be the 50 and then I believe yes, you're correct, for like custody exchanges.

Q Yes.

A Yes.

Q Over 50 of the 70 contacts were initiated by Mr. Kramer?

A That's correct.

MR. MISKELL: That's all I have, judge, with regards to this witness.

THE COURT: Okay. Mr. Steele, do you have questions in redirect?

MR. STEELE: I do, Your Honor.

REDIRECT EXAMINATION BY:

MR. ROBERT STEELE

BY MR. STEELE:

Q Of those 50 incidents initiated by Mr. Kramer, was that for denial of visitation by Julia?

A That's correct.

Q Mr. Miskell asked you what you did -- actually

suggested between January 22nd and June 1st, 2016 that you did nothing with regard to this investigation. That's not correct, is it?

A Not that I recall. I probably did some things, but I'm not sure exactly everything I did.

Q One of the things you were asked about was a report made March 27th, 2016 by Officer Paul regarding viewing a video with Julia purportedly taken of Madeline; is that correct?

A I'm sorry. What was the last part of that?

Q It was purportedly regarding Madeline?

A That's correct.

Q At that time there was a number of things said about daddy rubbed my crotch and how's my cock. Madeline did not say those things, did she, on that video to the best of your review of that report?

A I never reviewed the video.

Q Your report does not say that Madeline said it. In fact, it is Julia telling the officers?

A That is correct.

Q So they never heard her say those words, it's Julia's interpretation?

A To the best of my knowledge that's correct.

Q So there was that investigation in March.

There's another investigation in May, and I believe there was the one where she went to the Mendota Hospital and had the underwear?

A That would have been in April, but the underwear were never taken there to the best of my knowledge.

Q That was the 4-22 report?

A Yes.

MR. MISKELL: 4-22 of?

BY MR. STEELE:

Q 2016?

A That was the underwear incident.

Q And you had said that that was never sent for -- sent to the lab. Why was it not sent to the lab?

A It didn't get to me for seven days after it was reported and just knowing what the chain would be and questions where it's been for seven days. It was my understanding they were going to take it to the Mendota Hospital for testing. That's what they were told.

Q Then we're up to the May incidents when you received a fax from DCFS regarding Madeline's masturbation, a whistle and a candle touching her crotch area?

A That's correct.

Q And you investigated that?

A Yeah, I contacted Kevin Kramer and then there was a CAC done by Investigator Trevier with DCFS.

Q And that was the one we introduced in to evidence as Father's Exhibit No. 17 being that CAC interview which you produced at the last hearing?

A I believe so, yes.

Q And you also interviewed Kevin at that time; is that correct?

A That's correct.

Q And at the interview with Kevin, that took place on April 30th; is that correct?

A The interview should have been May 30th.

Q Excuse me. May 30th and May 31st it looks like?

A Yes.

Q You asked him if he wanted to have an attorney?

A He was read his rights.

Q What was his response?

A I have nothing to hide.

Q Did he talk to you about Julia's motivation in this matter?

A Second paragraph, page two?

Q Yes.

A It says I asked Kramer if he wanted to speak to

his attorney first. He said he didn't because he had nothing to hide. Kramer advised that Eickmeier continues the allegations because he will not drop the custody case. Kramer advised approximately a month ago Eickmeier asked him to stop with the custody hearings which Kramer refused. Kramer stated that after refusal she then filed another false allegation.

Q And you knew from your interview with Julia back in January that she was attempting to get Kevin to drop his custody case, did you not?

A I believe that was part of the content of that interview.

Q You testified that your contact with Joe Kramer was selling him a truck some time last year?

A Yeah. I sold my old truck to him. That was pretty much it.

Q Is that your only knowledge of Mr. Kramer?

A I've never talked to him outside of anything else. Although he worked for the city, I never met him up to that point.

Q With regard to the May 23rd, 2016 allegation there was also a DCFS investigation parallel with your own investigation, was there not?

A That's correct.

Q They also interviewed witnesses, did they not?

MR. MISKELL: I'm going to object to any foundation if he knows what they've done or not done.

THE COURT: Sustained.

BY MR. STEELE:

Q Would DCFS share with you the results of their investigation?

A Sometimes they do. Sometimes they don't.

Q In this particular one, did they do so if you recall?

A The only thing I have was with Investigator Trevier saying Madeline didn't disclose any sexual abuse --

MR. MISKELL: Objection, hearsay. She's testified.

THE COURT: Mr. Steele, your response?

MR. STEELE: I'll withdraw the question, Your Honor.

THE COURT: Okay.

MR. STEELE: Because the Court's already heard her testimony.

BY MR. MISKELL:

Q Mr. Miskell asked if you interviewed Gordon Pearson. Initially you had difficulty reaching him, did you not?

A That's correct.

Q Did you have a chance to interview him during

the course of these investigations?

A Yes.

Q When did that interview take place?

A I believe some time in October of 2016.

Q Did you have a chance to talk to him in June of 2017, or excuse me. Your first contact with him was in?

A I don't recall.

Q October?

A October I believe is when I contacted him.

Q In June, July of 2016 is when you had the allegation from Beverly Schneider?

A That's correct.

MR. MISKELL: I'm sorry. October of 2016?

MR. STEELE: Excuse me. July of 2016.

THE WITNESS: July, that's correct.

BY MR. STEELE:

Q Did you report that to DCFS Yearly at that time?

A Yes.

Q So this is only about a month after the CAC interview with Madeline that the Court has seen, is that right, that took place on June 1st, 2016?

A There was one that took place in May, yeah, 2016, beginning of June was the first CAC.

Q All right.

A She was non-verbal before then. There wasn't any CAC's before that.

Q And Ms. Schneider says that Madeline told her she wants to go in to Kramer's house and play with his snake and put the snake up her dress. Did you find it to be a credible statement?

MR. MISKELL: Objection, relevance.

THE WITNESS: That's why I interviewed her.

THE COURT: Hold on a second. The objection is irrelevant. What's your response?

MR. STEELE: Well, they're accusing this officer of not properly investigating this matter. I think he's entitled to say how he weighs the evidence.

THE COURT: Mr. Miskell.

MR. MISKELL: That's okay.

THE COURT: Pardon me?

MR. MISKELL: That would be fine.

THE COURT: Okay. The objection is overruled. Go ahead, sir.

THE WITNESS: I don't know if it's credible or not. The only person that could say she said that is Bev. I just listened to what she was telling me.

BY MR. STEELE:

Q From seeing the CAC interview, did you think that Madeline had that type of verbal language skills?

A No.

MR. MISKELL: Objection. Calls for speculation, no foundation as to his ability to speak to child development.

THE COURT: Overruled.

BY MR. STEELE:

Q Then you interviewed Kevin Kramer as part of this investigation?

A That is correct.

Q And he told you that he had been with Madeline just one time since the June 24th visit?

A We're still talking about Bev Schneider; correct?

Q Right. Page four of your report.

A It looks like paragraph six just said that the last time he had seen her was on July 19th for two hours.

Q Okay. He was not alone with her at that time. Was that his testimony?

A That was his testimony, yes, or his statement. Sorry.

Q Do you know how many people Julia has accused of sexually molesting Madeline?

MR. MISKELL: Asked and answered and beyond the scope

of cross.

THE COURT: Overruled.

BY MR. STEELE:

Q How many people has she accused of molesting Madeline?

A Kevin, a therapist in the suburbs somewhere, I believe four, Joe and Mary Kramer.

Q Mr. Miskell has accused your department of not giving sufficient weight to the allegations in this matter because of what he said Julia's crying wolf. Every time there's been an allegation made, have you talked to the principals?

A I've talked to some of the people involved, yes.

Q And you have reported to DCFS and they've also investigated it?

A Yes.

Q Have you forwarded it to the State's Attorney's Office for a possible investigation?

A Yes.

MR. STEELE: That's all the questions that I have of this witness, Your Honor.

THE COURT: All right.

MR. MISKELL: Just a couple if that's all right,

judge.

THE COURT: All right.

MR. MISKELL: Thank you.

RECROSS-EXAMINATION BY:

MR. ERIC MISKELL

BY MR. MISKELL:

Q Sir, you had testified regarding Mr. Kramer's beliefs of Julia's motivation. I think you referred to paragraph two on page two of your report?

A Yes, sir.

Q Mr. Kramer relates to you that this is all about Julia trying to frustrate his visitation, correct, isn't that basically what he's conveying to you?

A It was something about custody I believe.

Q Custody, and the past reports that you reviewed I think you said in back to 2000 --

A 9.

Q You reviewed?

A Yes, sir.

Q You have gained an opinion or a reasoning, have you not, as to the type of allegation and the response? You understand what I'm saying?

A I think you're saying from the past reports you think I have a predetermined disposition on how I'm going to

treat the case?

Q No, what I'm asking you you had testified previously that you were looking for a pattern?

A Yes, sir.

Q And isn't it your understanding, your belief, and correct me if I'm wrong, that you had testified that it's your belief that she's using the court system or using OP's in order to frustrate Mr. Kramer's visitation, that's what a lot of the contacts have been about?

A Yeah, I believe that every time a report's made there's usually a custody case pending or they just left a custody case.

Q So they get in to a fight. She makes a report and then they're off to the races in court so to speak; correct?

A Yes.

Q And so as an investigator, is it your belief that that -- those -- out of those 70 calls, the 50 something calls that were made or incidents that were made by Mr. Kramer from 2012 to now, a lot of those were regarding whether or not Julia would give him visitation on certain dates?

MR. STEELE: Objection, Your Honor. It was not 2012 until now. It was 2012 until 2015 I believe.

THE COURT: That was the testimony through December 1, 2015.

MR. MISKELL: Okay.

BY MR. MISKELL:

Q Through that time period?

A I think he's only reporting those because he was told by his attorney to report every time she denied visitation or wasn't home or something like that.

Q And at no time in that time period did Mr. Kramer ever tell you that he believed his daughter was in harm's way by being with Julia Eickmeier; isn't that correct?

A That's correct.

Q And at no time between December of 2015 and July of 2016 did Mr. Kramer ever tell you that he felt that the child was in danger?

MR. STEELE: Objection. Beyond the scope, Your Honor.

THE COURT: Let him finish the question.

BY MR. MISKELL:

Q With being with Julia Eickmeier; isn't that correct?

THE COURT: How is that not beyond the scope, Mr. Miskell?

MR. MISKELL: Well, I'm exploring the answer he gave regarding Julia's motivation and his belief as to why -- Mr. Kramer's belief as to why we're here today which is not because he believes she's a danger to her child but because he believes she's using the system to frustrate his visitation.

THE COURT: Overruled. Go ahead. You can answer, sir.

THE WITNESS: Now I'm confused.

BY MR. MISKELL:

Q I'll try and rephrase that question.

A Thanks.

Q From December of '15 until July of 2016?

A Correct.

Q Mr. Kramer never advised you or told you that he felt that the child was in any danger or in harm's way by being with Julia Eickmeier; isn't that correct?

A Not that I can recall.

Q From and during that same time period and all the way back from the beginning the first report all the way through July of 2016?

A Okay.

Q Mr. Kramer never advised you that he felt that Julia Eickmeier had a mental condition that would cause harm

to the child; isn't that correct?

A I can't recall.

Q To the best of your knowledge?

A To the best of my knowledge, but there was a couple physicians that were concerned.

Q I wasn't talking about physicians. I was talking about Mr. Kramer.

A Mr. Kramer, no.

Q Mr. Kramer has never told you that he thought that Julia had a mental condition that would cause her to be a danger to her child; correct?

A No, not that I recall.

Q Have you ever received any reports or allegations that Mr. Kramer had some sort of mental health issue that may cause a problem to the child?

A Only reports that Ms. Eickmeier's made.

Q All right, and when you're weighing evidence, and specifically I just want you to compare and contrast our line of questioning regarding Mr. Kramer and the snake and Ms. Schneider. Rape suspects or assault suspects a lot of time deny any wrongdoing; correct?

MR. STEELE: I'm going to object, Your Honor. That's speculation unless he has expert testimony to present on that issue.

THE COURT: Mr. Miskell.

MR. MISKELL: I'll rephrase the question.

BY MR. MISKELL:

Q Do you have any evidence that would suggest that Mr. Kramer's version of events are more credible than Ms. Schneider's statement to you?

A No.

MR. MISKELL: That's all I have.

THE COURT: You can finally step down. Thank you, sir.

THE WITNESS: Thank you.

MR. MISKELL: Thank you.

THE WITNESS: Thank you.

THE COURT: Mr. Steele, who's your next witness?

MR. STEELE: My next witness is under subpoena and has called and said that she is sick and is unable to appear this afternoon. I planned to finish the day off with that witness.

THE COURT: Do we have another witness that is available?

MR. STEELE: Not really that I've prepared, no.

MR. MISKELL: Who's this witness under subpoena? I've never gotten a copy.

MR. STEELE: Tricia Funsfin from Hope House. I've

given her report previously.

MR. MISKELL: You may have given me a report, but I have not gotten a copy of the subpoena regarding local court rules and civil procedure regarding her testimony today.

THE COURT: What's our next date?

MR. STEELE: October 27th.

THE COURT: Do we have just that witness and your client left?

MR. STEELE: That's correct, Your Honor.

THE COURT: For your side.

MR. MISKELL: Is there any particular reason that we cannot go ahead with Mr. Kramer today?

THE COURT: Actually October 24th is our next day. 24th, 25th, 26th, 27th.

MR. STEELE: Okay.

THE COURT: Well, I'm not going to make him go forward on a witness he hasn't prepared for so we'll be back on -- is your witness going to be available on the 24th?

MR. STEELE: Yes, she will, Your Honor.

THE COURT: Provide Mr. Miskell a copy of the subpoena.

MR. STEELE: I will do so.

THE COURT: We'll be back on the 24th.

MR. MISKELL: Thank you, judge.

THE COURT: You're welcome.

STATE OF ILLINOIS)

) SS:

COUNTY OF LASALLE)

I, EMILY DALE, a Certified Shorthand Reporter of the State of Illinois, do hereby certify that I reported in shorthand the proceedings had aforesaid, and that the foregoing is a true, complete and correct transcript of the proceedings as appears from my stenographic notes so taken and transcribed by me.

EMILY DALE

EMILY DALE, C.S.R.

C.S.R. No. 084-004301